

## **REMARKS**

This is a full and timely response to the outstanding final Office Action mailed April 9, 2008. Reconsideration and allowance of the application and pending claims are respectfully requested.

### **Claim Rejections - 35 U.S.C. § 103(a)**

As has been acknowledged by the Court of Appeals for the Federal Circuit, the U.S. Patent and Trademark Office ("USPTO") has the burden 35 U.S.C. § 103 to establish obviousness by showing objective teachings in the prior art or generally available knowledge of one of ordinary skill in the art that would lead that individual to the claimed invention. *In re Fine*, 837 F.2d 1071, 1074, 5 U.S.P.Q. 2d 1596, 1598 (Fed. Cir. 1988). The key to supporting an allegation of obviousness under 35 U.S.C. § 103 is the clear articulation of the reasons why the Examiner believes that claimed invention would have been obvious. See MPEP § 2141. As stated by the Supreme Court, "[r]ejections on obviousness cannot be sustained by mere conclusory statements; instead, there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness." *KSR v. Teleflex*, 550 U.S. at \_\_\_, 82 USPQ2d at 1396 (quoting *In re Kahn*, 441 F.3d 977, 988, 78 USPQ2d 1329, 1336 (Fed. Cir. 2006)).

Applicant respectfully submits that the Examiner has not established that Applicant's claims are obvious in view of the prior art. Applicant discusses those claims in the following.

## **A. Rejection of Claims 1, 5, 7, 8, 10, 16, 17, 24, 25, 27, and 28**

Claims 1, 5, 7, 8, 10, 16, 17, 24, 25, 27, and 28 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over *Okada, et al.* ("Okada," U.S. Pub. No. 2004/0138964) in view of *Ogasawara* (U.S. Pub. No. 2003/0045979). Applicant respectfully traverses.

### **1. The Okada Disclosure**

Okada discloses a program that controls a computer 30 such that, when an amount of ink remaining in an ink cartridge of a printer 10 is equal to or below a threshold, a screen inviting a user to purchase a new ink cartridge is displayed. *Okada*, paragraph 0002.

As is further described by Okada, the program attempts to obtain from the operating system of the computer 30 country information. *Okada*, paragraph 0065. When the country information is obtained, it is presented to the user for selection. *Okada*, paragraph 0067. Once the user selects the country, the program obtains a URL corresponding to that country, which can be later selected to take the user to a screen at which an ink cartridge for sale in that country can be purchased. *Okada*, paragraphs 0071 and 0083.

### **2. The Ogasawara Disclosure**

*Ogasawara* discloses an in-vehicle accessory system. *Ogasawara*, Patent Application Title. The in-vehicle accessory system 1 includes a DVD player 9 that plays DVDs. To comply with copyright laws of the various regions of the world in which the

vehicle that employs the accessory system is driven, a code is set on the DVD player 9 so that only DVDs having the same code can be played on the DVD player. Ogasawara, paragraphs 0026 and 0030.

### **3. Applicant's Claims**

#### **(a) Claims 1-5, 7, and 8**

Applicant's independent claim 1 provides as follows:

1. A method for implementing device regionalization, comprising:

identifying with a printer a region code stored on a component installed within the printer, the region code identifying a particular geographical region; and

locking a geographical region for the printer to be the geographical region identified by the region code such that only components intended for sale in that geographical region can be used with the printer.

#### **(i) Examiner's Application of Okada**

In the final Office Action, the Examiner alleged that Okada actually teaches both "identifying with a printing device . . . a region code stored on a component installed within the printer" and "setting a geographical region . . . for the printing device to be the geographical region identified by the region code such that only components intended for sale in that geographical region can be used with the printing device." *Final Office Action*, pages 2-3. This is clearly untrue.

Regarding Applicant's limitation "identifying with a printer a region code stored on a component installed within the printer, the region code identifying a particular

geographical region,” Applicant notes that Applicant explicitly claims a “printer” identifying the region code installed within “the printer”, and not a “printing device” (which the Examiner appears to argue includes the separate computer 30) identifying a region code installed within “the printing device”. Therefore, the Examiner is not giving weight to the actual limitations of claim 1.

Turning to the merits of the limitation “identifying with a printer a region code stored on a component installed within the printer, the region code identifying a particular geographical region” Applicant notes that Okada’s printer 10 does not identify any region code. Instead, Okada states that a program *that executes on the computer 30 determines country information from an operating system of the computer.* See *Okada*, paragraph 0065. Therefore, Okada’s country information is not identified “with a printer” and further is not identified from a region code “stored on a component installed within the printer”.

Turning to the limitation “locking a geographical region for the printer to be the geographical region identified by the region code such that only components intended for sale in that geographical region can be used with the printer”, Applicant notes that Okada neither discloses “locking” a geographical region for a printer, as claimed by Applicant, nor “setting” a geographical region for a printer, as alleged by the Examiner. Instead, Okada merely describes *presenting the user with a screen with which an ink cartridge may be purchased.* Nothing within the Okada disclosure indicates, as alleged by the Examiner, that the presentation of that screen “locks” or “sets” a geographical region for the printer 30 such that only components intended for that geographical region can be used with the printer. Regarding the Examiner’s argument that

paragraph 0085 of the Okada reference indicates that “once URL region is set user is allowed to make purchases only according to the geographical region as initialized,” Applicant disagrees. Paragraph 0085 actually states:

When the printer utility section 312 receives a click on the “Online purchase” button 503 in the ink monitor screen 500, it notifies the Web browser section 320 of the URL of the Web page for requesting a consumable item purchase. Then, the Web browser section 320 accesses the Web page for requesting the consumable item purchase, whereby the user can make online request for purchasing the ink cartridge. A URL which is set at the time of installation process of the printer utility program 90 is used as the URL of the Web page for requesting for the consumable item purchase.

*Okada*, paragraph 0085. As can be readily appreciated from the above excerpt, Okada only describes assisting a user in purchasing a given ink cartridge from a particular web page when the user clicks on the “Online purchase” button 503. As described by Okada in paragraph 0005, such assistance increases the “smoothness in procedure and convenience in delivery and the like of the purchase process.” *Okada*, paragraph 0005. Such assistance clearly does not however prevent the user from purchasing the ink cartridge elsewhere (e.g., from another web site) or from using an ink cartridge intended for sale in another geographical region with the printer 10. Nothing in paragraph 0085 indicates that such an alternative ink cartridge cannot be used with the printer. Accordingly, it is clear that the disclosure of paragraph 0085 does not describe a scenario in which a printer is “locked” or “set” such that “only components intended for sale in that geographical region can be used with the printer”.

In view of the above, it is clear that the Examiner's allegations as to Okada teaching the "identifying" and "locking" (or "setting") limitations of claim 1 are clearly baseless and without merit. Not only does Okada fail to describe a printer identifying a region code, Okada further fails to describe locking or setting a geographical region for the printer to only enable components intended for sale in that geographical region to be used with the printer.

**(ii) Examiner's Application of Ogasawara**

Despite the Examiner's allegations that Okada actually teaches a printing device identifying a region code stored on a component installed within the printing device and setting a geographical region for the printing device to be the geographical region identified by the region code such that only components intended for sale in that geographical region can be used with the printing device, the Examiner later admitted in the final Office Action that Okada does not disclose that the region code is in the printer or "locked therein". *Final Office Action*, page 3. In light of that admission, it is clear that the Examiner has contradicted himself, thereby calling into question the veracity of the Examiner's arguments regarding what is taught by Okada.

Irrespective of the above-described contradiction, the Examiner alleges that the Ogasawara reference teaches "identifying with a peripheral device (DVD Player 9, figure 1) a region code stored on a component . . . installed within the peripheral device." *Final Office Action*, page 3. As a first matter, Applicant notes that Applicant explicitly claims identifying with a "printer" a region code stored on a component installed "within the printer", and not a "peripheral device" identifying a region code

stored on a component installed “within the peripheral device” as suggested by the Examiner. Therefore, the Examiner is not addressing the explicit language of Applicant’s claim. Regardless, Applicant notes that Ogasawara does not in fact disclose a DVD player identifying a region code stored on a “component installed within” the DVD player, as alleged by the Examiner. Instead, as described above, Ogasawara describes setting a region code for a DVD player 9 so that only DVDs having the same region code can be played on the DVD player 9. See Ogasawara, paragraphs 0026 and 0030. Therefore, Ogasawara does not in fact describe the DVD player 9 “identifying a region code”. Moreover, Ogasawara does not in fact describe the DVD player 9 identifying the code “stored on a component installed within” the DVD player. Specifically, a DVD that is inserted within a DVD player cannot reasonably be considered to comprise a “component” that is “installed within” the DVD player.

The Examiner further argued on page 3 of the final Office Action that Ogasawara teaches “locking a geographical region for the peripheral device to be the geographical region identified by the region code”. In response, Applicant notes that, even assuming that were true, such a condition would still fail to meet Applicant’s claim limitation. That is, a mere teaching of locking a geographical region for a DVD player to limit the DVDs it can play is not a disclosure or suggestion of locking the device “such that only components intended for sale in that geographical region can be used with” the device. Therefore, even assuming that Ogasawara’s DVD player 9 has “locked” region code, that does not limit in any way the components that can be used with the device.

In view of the above, it is clear that the Examiner’s allegations as to Ogasawara reference are also baseless and without merit. In particular, Ogasawara fails to

describe or suggest a device, whether it be Applicant's claimed printer or an other device, that identifies a region code stored on a component installed within the device or that locks a geographical region such that only components intended for sale in that geographical region can be used with the device.

**(iii) Conclusion as to Claims 1, 5, 7, and 8**

In view of the foregoing, it is clear that neither Okada nor Ogasawara disclose or suggest a method including the actions of a printer identifying a region code stored on a component installed within the printer or locking a geographical region for the printer such that only components intended for sale in that geographical region can be used with the printer. Applicant therefore submits that the rejections are improper and should be reversed.

**(b) Claim 10**

Applicant's independent claim 10 provides as follows:

10. A computer-readable memory that stores a system for implementing device regionalization that executes on a printer, the system comprising:

means provided on the printer for reading a region code embedded within a device component installed within the printer, the region code identifying a particular geographical region; and

means provided on the printer for locking a geographical region for the printer to be the geographical region identified by the region code such that only components intended for sale in that geographical region can be used with the printer.

As a first matter regarding claim 10, neither Okada nor Ogasawara discloses or suggests a system for implementing device regionalization that executes “on a printer”. As discussed above, Okada’s “program” clearly executes on Okada’s computer 30 and Ogasawara says nothing about printers.

As a second matter, neither reference discloses or suggests “means provided on the printer for reading a region code embedded within a device component installed within the printer, the region code identifying a particular geographical region”. As described above, Okada only describes obtaining country information from an operating system of the computer 30 and Ogasawara only describes setting a DVD player 9 to have a particular region code.

Furthermore, neither reference discloses or suggests “means provided on the printer for locking a geographical region for the printer to be the geographical region identified by the region code such that only components intended for sale in that geographical region can be used with the printer” at least for reasons described above. Again, although Okada facilitates purchase of an ink cartridge from a preferred source, such facilitation does not comprise “locking” of the printer such that “only components intended for sale in that geographical region can be used with the printer”. Regarding the Ogasawara reference, setting a DVD player to only play certain DVDs is not locking a geographical region such that only components intended for sale in that geographical region can be used.

In view of the above, Applicant respectfully submits that the rejection of claim 10 should be reversed.

**(c) Claims 16 and 17**

Applicant's independent claim 16 provides as follows:

16. A computer-readable storage medium that stores:
  - logic for reading a region code from a device component installed in a printer, the region code identifying a particular geographical region;
  - logic configured to store the read region code within printer memory; and
  - logic configured to provide the stored region code to a device driver that executes on a user computer.

Regarding claim 16, neither Okada nor Ogasawara discloses or suggests "logic for reading a region code from a device component installed in a printer, the region code identifying a particular geographical region" at least for reasons described in the foregoing.

Applicant further notes that neither reference discloses or suggests "logic configured to store the read region code within printer memory". As described above, Okada's country information is stored on Okada's computer 30, not Okada's printer 10. Furthermore, Ogasawara stores a region code in a DVD player, not a printer.

In view of the above, Applicant respectfully submits that the rejection of claims 16 and 17 should be reversed.

**(d) Claims 24 and 25**

Applicant's independent claim 24 provides as follows:

24. A printer, comprising:  
a processing device; and  
memory including a region identification system that is configured to read a region code from an encoded component installed within the printer, the region code identifying a particular geographical region, and to lock a geographical region for the printer to be the geographical region identified by the region code such that only components intended for sale in that geographical region can be used with the printer.

Regarding claim 24, neither Okada nor Ogasawara discloses or suggests a "printer" that comprises any "region identification system". As described above, Okada only describes identifying country information from a computer operating system on Okada's computer 30 and Ogasawara only describes setting a DVD player 9 to have a particular region code.

Furthermore, neither reference discloses a printer, or other device, comprising a region identification system that is configured to "read a region code from an encoded component installed within" the device or to "lock a geographical region for the printer to be the geographical region identified by the region code such that only components intended for sale in that geographical region can be used with" the printer at least for reasons described in the foregoing.

In view of the above, Applicant respectfully submits that the rejection of claims 24 and 25 should be reversed.

## 5. Claims 27 and 28

Applicant's independent claim 27 provides as follows (emphasis added):

27. A computer-readable storage medium that stores a driver comprising:

a component identification module that is configured to receive a region code from a printer that is controlled by the device driver, the region code identifying a particular geographical region, to access a database using the region code a device model to determine the components that pertain to the geographical region and the printer and therefore are available for use with the printer, and to identify the determined components to a device user.

Regarding claim 27, neither Okada nor Ogasawara discloses or suggest a driver that is configured to "receive a region code from a printer". As described above, although Okada describes obtaining country information from an operating system of Okada's computer 30, no such information is received "from a printer". In Ogasawara's system, a DVD player 9 obtains a setting from a control device 5, not from a printer.

In view of the above, Applicant respectfully submits that the rejection of claims 27 and 28 should be reversed.

## B. Rejection of Claims 3 and 4

Claims 3 and 4 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Okada in view of Ogasawara in further view of *Walker, et al.* ("Walker," U.S. Pat. No. 6,494,562). Applicant respectfully traverses the rejection.

As identified above, Okada and Ogasawara do not teach several aspects of Applicant's claim 1. In that Walker does not remedy the deficiencies of the Okada and Ogasawara references, Applicant respectfully submits that claims 3 and 4 are allowable over the Okada/Ogasawara/Walker combination for at least the same reasons that claim 1 is allowable over Okada/Ogasawara.

#### **C. Rejection of Claims 6, 15, 18, and 26**

Claims 6, 15, 18, and 26 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over *Okada* in view of *Ogasawara* in further view of *Hopper, et al.* ("Hopper," U.S. Pub. No. 2003/0071726). Applicant respectfully traverses the rejection.

As identified above, Okada and Ogasawara do not teach aspects of Applicant's claims. In that Hopper does not remedy the deficiencies of the Okada and Ogasawara references, Applicant respectfully submits that claims 6, 15, 18, and 26 are allowable over the Okada/Ogasawara/Hopper combination for at least the same reasons that claims 1, 10, 16, and 24 are allowable over Okada/Ogasawara.

#### **D. Rejection of Claims 9, 12, and 19**

Claims 9, 12, and 19 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over *Okada* in view of *Ogasawara* in further view of *Maehara* (U.S. Pub. No. 2004/0125393). Applicant respectfully traverses the rejection.

As identified above, Okada and Ogasawara do not teach aspects of Applicant's claims. In that Maehara does not remedy the deficiencies of the Okada and Ogasawara references, Applicant respectfully submits that claims 9, 12, and 19 are allowable over the

Okada/Ogasawara/Maehara combination for at least the same reasons that claims 1, 10, and 16 are allowable over Okada/Ogasawara.

**CONCLUSION**

Applicant respectfully submits that Applicant's pending claims are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (770) 933-9500.

Respectfully submitted,



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